

UNITED STATES DISTRICT COURT

DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RAFAL MISTRZAK,

Defendant.

CASE NUMBER: 05cr001849

**MOTION TO AMEND ORDER SETTING CONDITIONS OF RELEASE**

Defendant, Rafal Mistrzak, through counsel, hereby respectfully moves this Court for entry of an Order amending the Order Setting Conditions of Release and as grounds therefore STATES:

1. Defendant believes it would be beneficial to his mental health to attend counseling to prepare for the stressful endeavors he is about to endure as a result of the trying of the above entitled cause of action .
2. Defendant has contacted Relevancy Inc. Located at 2727 San Pedro, Suite 120, Albuquerque, New Mexico 87110 about matriculation into their program and the facility awaits the outcome of this pleading.
3. Defendant requests this Court to order the United States government to pay for the counseling.
4. Concurrence was sought from Assistant United States Attorney, James R. W. Braun and was (not) granted.

WHEREFORE, Defendant prays this Court will issue an Order amending the condition of release in the above entitled cause of action and allow Defendant to enter a mental health program at the aforementioned facility and to order the federal government to assume the cost of the counseling.

Respectfully Submitted,  
s/ original signature on file  
**RUDOLPH B. CHAVEZ**  
Attorney for Debtor  
2014 Central Ave. SW  
Albuquerque, NM 87104  
(505) 242-5500

**CERTIFICATE OF SERVICE**

I hereby certify that a  
true copy of the foregoing  
was sent to opposing counsel  
of record this 22<sup>nd</sup> day of  
June, 2006.  
s/ original signature on file  
RUDOLPH B. CHAVEZ